UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,785	11/07/2001	Nick Steele	17331-0009	1135

20786 7590 03/02/2005

KING & SPALDING LLP
191 PEACHTREE STREET, N.E.
ATLANTA, GA 30303-1763

EXAMINER	
CANGIALOSI, SALVATORE A	

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/007,785	STEELE ET AL.	
	Examiner	Art Unit	
	Salvatore Cangialosi	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 February 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-59* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *02/24/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

2. Claims 1-59 are rejected under 35 U.S.C. § 103 as being unpatentable over French et al (6321339) in view of Orenshteyn (5889942).

Regarding claim 1, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user by means of a network substantially as claimed. The differences between the above and the claimed invention is the use of an temporary authorization. It is noted that it is believed that information that **can be** accessed, retrieved and altered by the consumer is a settled matter of federal statute governing credit report agencies such

as Equifax and is functionally equivalent to the claimed limitations. Note that this is a statement of possibility and not a positive limitation. Nonetheless, the cited prior art does show a consumer changing data. Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client. Note also that credit access statutes allow consumers to opt out of data sharing arrangements. Again the access **will be** granted is a statement of possibility and not a positive limitation and therefore given little patentable weight. Given sufficient resources anything is possible. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for French et al because the primary item of evidence contemplates different levels of access that are conventional functional equivalents with respect to the claim limitations. Regarding instruction limitations of claim 2, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding attribute limitations of claim 3, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including

authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding filter limitations of claim 4, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is filter by verifying filters such as Choicepoint which is a functional equivalent of the claim limitations. Regarding temporary authorization limitations of claim 5, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding temporary authorization limitations of claim 6, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding instruction limitations of claim 7, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding

temporary authorization limitations of claim 8, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding temporary authorization limitations of claim 9, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding temporary authorization limitations of claim 10, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding instruction limitations of claim 11, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on software data structures which is a functional equivalent of the claim limitations. Regarding claim 12, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including

authentication of a user by means of a network substantially as claimed. The differences between the above and the claimed invention is the use of an temporary authorization. It is noted that it is believed that information that **can be** accessed, retrieved and altered by the consumer is a settled matter of federal statute governing credit report agencies such as Equifax and is functionally equivalent to the claimed limitations. Note that this is a statement of possibility and not a positive limitation. Nonetheless, the cited prior art does show a consumer changing data. Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client. Note also that credit access statutes allow consumers to opt out of data sharing arrangements. Again the access **will be** granted is a statement of possibility and not a positive limitation and therefore given little patentable weight. Given sufficient resources anything is possible. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for French et al because the primary item of evidence contemplates different levels of access that are conventional functional equivalents with respect to the claim limitations. Regarding instruction limitations of claim 13, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely

based on executable software which is a functional equivalent of the claim limitations. Regarding attribute limitations of claim 14, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding filter limitations of claim 15, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is filter by verifying filters such as Choicepoint which is a functional equivalent of the claim limitations. Regarding temporary authorization limitations of claim 16, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding temporary authorization limitations of claim 17, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding instruction limitations of claim 18, French et

al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding temporary authorization limitations of claim 19, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding temporary authorization limitations of claim 20, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding temporary authorization limitations of claim 21, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding instruction limitations of claim 22, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely

based on software data structures which is a functional equivalent of the claim limitations. Regarding claim 23, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user by means of a network substantially as claimed. The differences between the above and the claimed invention is the use of an temporary authorization. It is noted that it is believed that information that **can be** accessed, retrieved and altered by the consumer is a settled matter of federal statute governing credit report agencies such as Equifax and is functionally equivalent to the claimed limitations. Note that this is a statement of possibility and not a positive limitation. Nonetheless, the cited prior art does show a consumer changing data. Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, the authorizations may be employed in any standard network delivery manner. Note also that credit access statutes allow consumers to opt out of data sharing arrangements. Again the access **will be** granted is a statement of possibility and not a positive limitation and therefore given little patentable weight. Given sufficient resources anything is possible. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for French et al because the primary item of evidence

contemplates different levels of access that are conventional functional equivalents with respect to the claim limitations. Regarding instruction limitations of claim 24, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding attribute limitations of claim 25, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding filter limitations of claim 26, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is filter by verifying filters such as Choicepoint which is a functional equivalent of the claim limitations. Regarding instruction limitations of claim 27, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15)

discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on software data structures which is a functional equivalent of the claim limitations. Regarding server limitations of claim 28, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on software server applications which is a functional equivalent of the claim limitations. Regarding protocol limitations of claim 22, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on software protocol which is a functional equivalent of the claim limitations. Regarding claim 30, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer means for storing data concerning a consumer that can be accessed by a consumer including authentication of a user by means of a network substantially as claimed. The differences between the above and the claimed invention is the use of an temporary authorization. It is noted that it is believed that

information that **can be** accessed , retrieved and altered by the consumer is a settled matter of federal statute governing credit report agencies such as Equifax and is functionally equivalent to the claimed limitations. Note that this is a statement of possibility and not a positive limitation. Nonetheless, the cited prior art does show a consumer changing data. Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client. Note also that credit access statutes allow consumers to opt out of data sharing arrangements. Again the access **will be** granted is a statement of possibility and not a positive limitation and therefore given little patentable weight. Given sufficient resources anything is possible. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for French et al because the primary item of evidence contemplates different levels of access that are conventional functional equivalents with respect to the claim limitations. Regarding attribute limitations of claim 31, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding filter limitations of claim 32, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2,

lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is filter by verifying filters such as Choicepoint which is a functional equivalent of the claim limitations. Regarding temporary authorization limitations of claim 33, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding temporary authorization limitations of claim 34, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding instruction limitations of claim 35, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on executable software which is a functional equivalent of the claim limitations. Regarding temporary authorization limitations of claim 36, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard

network delivery manner. Regarding temporary authorization limitations of claim 37, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding instruction limitations of claim 38, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which is entirely based on software data structures which is a functional equivalent of the claim limitations. Regarding claim 39, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer network method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user by means of a network substantially as claimed. The differences between the above and the claimed invention is the use of a finite authorization. It is noted that it is believed that information that **can be** accessed, retrieved and altered by the consumer is a settled matter of federal statute governing credit report agencies that have a multiplicity of customers such as Equifax and is functionally equivalent to the claimed limitations. Note that this is a statement of possibility and not a positive limitation.

Nonetheless, the cited prior art does show a consumer changing data. Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client. Note also that credit access statutes allow consumers to opt out of data sharing arrangements. Again the access **will be** granted is a statement of possibility and not a positive limitation and therefore given little patentable weight. Given sufficient resources anything is possible. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for French et al because the primary item of evidence contemplates different levels of access that are conventional functional equivalents with respect to the claim limitations. Regarding time limited authorization limitations of claim 40, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding time limited authorization limitations of claim 41, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations. Regarding access limitations of claim 42, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of

access which is a functional equivalent of the claim limitations. Regarding access limitations of claim 43, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations. Regarding access limitations of claim 44, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding access limitations of claim 45, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding access limitations of claim 46, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col.

2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding access limitations of claim 47, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding claim 48, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer network means for storing data concerning a consumer that can be accessed by a consumer including authentication of a user by means of a network substantially as claimed. The differences between the above and the claimed invention is the use of a finite authorization. It is noted that it is believed that information that **can be** accessed, retrieved and altered by the consumer is a settled matter of federal statute governing credit report agencies that have a multiplicity of customers such as Equifax

and is functionally equivalent to the claimed limitations. Note that this is a statement of possibility and not a positive limitation. Nonetheless, the cited prior art does show a consumer changing data. Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client. Note also that credit access statutes allow consumers to opt out of data sharing arrangements. Again the access **will be** granted is a statement of possibility and not a positive limitation and therefore given little patentable weight. Given sufficient resources anything is possible. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for French et al because the primary item of evidence contemplates different levels of access that are conventional functional equivalents with respect to the claim limitations. Regarding time limited authorization limitations of claim 49, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding time limited authorization limitations of claim 50, Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client, which is a functional equivalent of the claim limitations. Regarding access limitations of claim 51, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for

storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations. Regarding access limitations of claim 52, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations. Regarding access limitations of claim 53, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding access limitations of claim 54, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network

delivery manner. Regarding access limitations of claim 55, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding access limitations of claim 56, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard network delivery manner. Regarding claim 57, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer network method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user by means of a network substantially as claimed. The differences between the above and the claimed invention is the use of a tickets. It is noted that it is believed that information that **can be** accessed, retrieved and altered by the consumer is a

settled matter of federal statute governing credit report agencies that have a multiplicity of customers such as Equifax which purchase time limited subscriptions for service and is functionally equivalent to the claimed limitations. Note that this is a statement of possibility and not a positive limitation. Nonetheless, the cited prior art does show a consumer changing data. Orenshteyn (See Fig. 3B, element 100) show the temporary authorization by a client. Note also that credit access statutes allow consumers to opt out of data sharing arrangements. Again the access **will be** granted is a statement of possibility and not a positive limitation and therefore given little patentable weight. Given sufficient resources anything is possible. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for French et al because the primary item of evidence contemplates different levels of access (that are based in practice on paid subscription levels) that are conventional functional equivalents with respect to the claim limitations. Regarding access requests limitations of claim 58, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access which is a functional equivalent of the claim limitations because the authorizations may be employed in any standard

network delivery manner. Regarding authorization limitations of claim 59, French et al (See abstract, Figs. 1-2, 6, 12, 14, 15, 31-39, and 45 Col. 2, lines 30-65, Col. 3, lines 1-50, Col. 21, lines 5-15) discloses a computer method for storing data concerning a consumer that can be accessed by a consumer including authentication of a user which has multiple levels of access authorization which is a functional equivalent of the claim limitations.

3. Claims 1-59 are rejected under 35 U.S.C. . 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Certain claims (1, 3, 4, 12, 14, 15, 23, 25, 30, 31-33, 40, 41, 49, 50, 57) contain the terms "can be... will be may be... to be" which are not positive limitations. (See In re Collier, 158 USPQ 266) It is not clear what is being claimed. The claims require only a possibility rather than an actual limitation. For example, anything is possible given sufficient time and resources.

It is also noted that at least three separate inventions are being claimed. Applicants are requested to limit the claims to a more reasonable number involving a single invention.

Any inquiry concerning this communication should be directed

to Salvatore Cangialosi at telephone number (703) 305-1837. The examiner can normally be reached 6:30 Am to 5:00 PM, Tuesday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington, D.C. 20231

or faxed to (703)872-9306

Hand delivered responses should be brought to Crystal Park V, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor(Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 3600 Customer Service Office whose telephone number is (703) **308-4177**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SALVATORE CANGIALOSI
PRIMARY EXAMINER
ART UNIT 222